



Migratory Bird Treaty Act

An International Responsibility

The U.S. Fish & Wildlife Service and the Migratory Bird Treaty Act

Migratory birds are some of nature's most magnificent resources, playing significant ecological, economic, and cultural roles in the U.S. and internationally. As such, the U.S. Fish and Wildlife Service is directed by the U. S. Congress to ensure the perpetuation of migratory bird populations and their habitats. The Migratory Bird Treaty Act is the implementing regulation that began the Service's history with protection of migratory birds and their habitats.

What is the Migratory Bird Treaty Act?

The MBTA of 1918 is the primary legislation in the U.S. established to conserve migratory birds. Under the MBTA, no one may take, pursue, hunt, capture, kill, attempt to take, capture, or kill, possess, sell, purchase, barter, or offer for sale, import, export, or transport any migratory bird, or their parts (including feathers), nests, or eggs except under the terms of a valid permit issued pursuant to Federal regulations. The MBTA covers migratory bird species protected under four international treaties between the U.S. and Canada, Japan, Mexico, and Russia. All but a few of the bird species naturally occurring in the U.S. are protected under the MBTA.

What is the History Behind the Development of the MBTA?

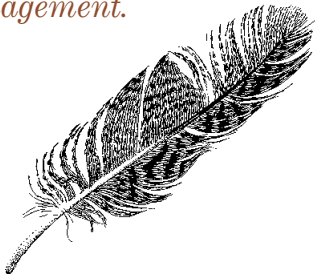
Historically, the United States harbored a seemingly limitless abundance of wildlife species. However, as the nation's population grew with the arrival of more immigrants in the late 1800s, habitat was lost through additional land clearing and game bird species suffered a significant decline from overharvesting. The millinery

trade also took its toll on many species killed for their plume feathers. During 1897-1900, the U.S. Congress demonstrated a developing national interest in wildlife conservation and passed the Lacey Act of 1900, making the transport of illegally taken game across state lines a federal offense. More than a decade later, the Weeks-McLean Law, also known as the Migratory Bird Act of 1913, authorized the Secretary of Agriculture to set hunting seasons on migratory game birds. However, this law proved imperfect because it could not be enforced. The 1916 Convention with Great Britain for the Protection of Migratory Birds, provided the basis for the development of enforceable regulations that were authorized by the Migratory Bird Treaty Act of 1918 and assigned to the Biological Survey (the predecessor of the Service) for implementation. Subsequent treaties with Mexico (1936), Japan (1972), and Russia (1976) expanded the foundation for the Service's trust responsibilities for the welfare of our nation's migratory bird resources to an internationally-cooperative scale with these countries. Each of these treaties protects selected species of birds and specifies closed seasons for hunting game birds and subsistence harvest for indigenous populations. The treaties, with the exemption of the Mexico treaty, also address take of migratory birds for scientific and propagation purposes.

Migratory Bird Management

Mission

To conserve migratory bird populations and their habitats for future generations, through careful monitoring and effective management.



Bird Nest
credit: Barbara Counseller

What Birds Are Protected Under MBTA?

By treaty, we currently recognize 836 species of migratory birds, of which 778 are not hunted and are classified as non-game and 58 are classified as game species. Our current definition of these classifications are based upon both the treaties and biology. The official list of species protected under the MBTA can be found at 50 CFR § 10.13 or our website at <http://migratorybirds.fws.gov/intrnltr/mbta/mbtandx.html>.

What is Prohibited by MBTA and What can be Permitted ?

As with many other conservation laws, the MBTA uses federal permits as a tool to assist in the conservation of migratory birds and authorizing otherwise prohibited activities for scientific, educational, cultural, and other purposes. Pursuant to this provision, the Service can issue permits to qualified applicants for the following activities involving migratory birds: Import/Export, Scientific Collecting, Taxidermy, Waterfowl Sale and Disposal, Falconry, Raptor Propagation, Depredation permits, Rehabilitation permits, and Special Purpose permits (including salvage and education). For more information on MBTA permitting, see <http://permits.fws.gov>.



Why Do I Need to Care About MBTA Today?

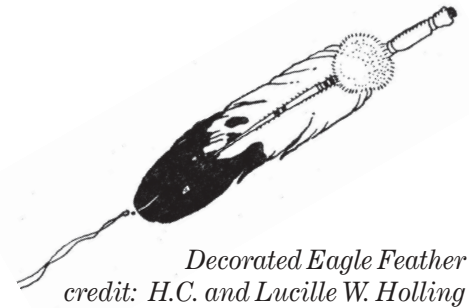
The MBTA has contributed significantly to the recovery of many migratory birds species and contributed to the conservation of many others since the early 1900s and will continue to help sustain healthy populations for many generations to come.

It is important to remember that even activities which don't actually kill a migratory bird, are not allowed without a permit. For example, before you attempt to rehabilitate an injured or orphaned bird, remove or destroy an active bird nest, or pick up bird feathers or nests, or otherwise "take" a migratory bird, you should contact your state wildlife agency or the local or regional Fish and Wildlife Service office for assistance.

What is the Economic Importance of Migratory Birds?

Migratory birds are important in many ways, both aesthetically and utilitarian. Humans have used birds as symbols, for sustenance, and adornment for many centuries. Scientifically, birds have greatly added to our knowledge of the natural sciences, through helping to unravel the evolutionary puzzle, contributing to our understanding of such concepts as territory, migration, and imprinting, and alerting us to the dangers of residual pesticides in food chains and the concepts of bioaccumulation. Also, many of our domestic stocks of important food staples and largest sources of protein (i.e., turkey and chicken) have been developed from wild bird populations. Migratory birds are also very important in insect control and in the pollination of flowering plants.

The American public have a strong affinity for wildlife and outdoor recreational activities. These recreational activities also result in a tremendous benefit to the U.S. economy. Popular outdoor bird-related activities include hunting, photography, birdwatching, and feeding, with birdwatching attracting the biggest following. Figures collected for 2001 indicated 46 million Americans



Decorated Eagle Feather
credit: H.C. and Lucille W. Holling

birdwatched around home and on trips. More than 3.0 million Americans participated in hunting of migratory birds, particularly waterfowl and upland game species, resulting in over \$1.4 billion dollars in economic benefits. More than 40 million people 16 years or older participated in birdwatching, and 52 million fed or photographed birds around their homes. Figures for birding activities away from home were also impressive with over 18 million people observing, photographing or feeding them.

For More Information:
U.S. Fish and Wildlife Service
Division of Migratory Bird Management
4401 N. Fairfax Drive, Room 634
Arlington, VA 22203
703 358 1714
<http://migratorybirds.fws.gov>

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